

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

Minute Entry

Hearing Information:

Debtor: TOMAS M DUENO ESPADA and MERCEDES E LUGO RODRIGUEZ
Case Number: 16-00470-ESL13 Chapter: 13
Date / Time / Room: 01/25/2017 02:00 pm osjert2
Bankruptcy Judge: ENRIQUE S. LAMOUTTE
Courtroom Clerk: DARHMA ZAYAS
Reporter / ECR: EDNA SANABRIA

Matter:

Doc# 53 Amended Plan Dated 4/4/16
Doc# 57 Objection to confirmation filed by Banco Popular de Puerto Rico
Doc# 59 Objection to confirmation filed by Rushmore Loan Management Services

Appearances:

JOSE RAMON CARRION MORALES
ROSANA MORENO RODRIGUEZ
SERGIO RAMIREZ DE ARELLANO
ROSAMAR GARCIA FONTAN

Nanette Godreau
Excused.
Rushmore

- *Current*
- *No payment to Rushmore since Oct. 2015.*
- *TRTD (#74) filed Jan. 9, 2017.*

Proceedings:

ORDER:

☒ (Amended) plan dated 4.4.16 [Docket no. 53] ☐ CONFIRMED ☒ NOT CONFIRMED ☒ LBR 3015

Debtor's motion for post confirmation modification of plan dated _____; pursuant to §1329, [Docket No. _____], is hereby _____ granted _____ denied.

Movant's application to withdraw motion is hereby granted. Re: Docket No. _____

Upon debtor[s]' failure to: _____ to appear at the 341 meeting of creditors, _____ make current payments to the Chapter 13 trustee, _____ appear at the hearing on confirmation, it is now ordered that the instant petition be and it is hereby dismissed.

The trustee is awarded \$100.00 costs, _____ balance up to balance of fee to debtor[s]' attorney.

Debtor[s]' request for conversion to Chapter 7 is hereby granted. _____ The \$25.00 conversion fee shall be paid to the Clerk from the funds held by the Chapter 13 trustee. The Chapter 13 trustee is awarded \$100.00 costs.

Debtor[s]' request for dismissal is hereby granted. The Chapter 13 trustee is awarded \$100.00 costs.

There being no opposition, debtor[s]' request to set aside dismissal order [Docket # _____] is hereby granted.

The parties are granted _____ days to file a settlement agreement.

Hearing on Confirmation/Contested Matter is continued to: _____

Attorney's Fees: \$3,000.00; Other: _____

Lamoutte
/s/ Enrique S. Lamoutte
U.S. Bankruptcy Judge